

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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GARY WAXMAN and LEONARD ) No. 16-cv-1899 (RWS)  
HAMMERSCHLAG, Individually and On )  
Behalf of All Others Similarly Situated, ) Judge Robert W. Sweet  
 )  
Plaintiffs, )  
 )  
v. )  
CLIFFS NATURAL RESOURCES INC., )  
 )  
Defendant. )  
 )  
----- x

**NOTICE OF DEFENDANT CLIFFS NATURAL RESOURCES INC.'S  
MOTION TO DISMISS THE CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss the Class Action Complaint and all prior proceedings and matters of record in this case, Defendant Cliffs Natural Resources Inc., by and through its undersigned counsel, will move the Court before the Honorable Robert W. Sweet, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at noon on September 22, 2016, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Class Action Complaint, with prejudice and in its entirety, for lack of standing and for failure to state a claim upon which relief can be granted.

Dated: May 16, 2016

Respectfully submitted,

/s/ Robert C. Micheletto

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*Attorneys for Defendant Cliffs Natural Resources Inc.*

**CERTIFICATE OF SERVICE**

I certify that on May 16, 2016, I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

*/s/ Robert C. Micheletto* \_\_\_\_\_